



## **Fees Guidance Notes (for individuals)**

**October 2015**

The fees for making an appeal to the First-tier Tribunal (Gambling) are contained in this booklet.

## How can I pay the fee?

If you need to pay a fee, please include the full fee payment with your appeal to the First-tier Tribunal (Gambling). The Tribunal accepts payment by:

- Sterling Cheque drawn in a UK bank made payable to **HM Courts & Tribunals Service**
- Credit card (Visa or MasterCard) please contact the Tribunal if you wish to pay by this method.
- Debit Card (Switch, Delta, Maestro, Solo) please contact the Tribunal if you wish to pay by this method.

You should fill in any details of your payment on section 10 of the notice of appeal form and enclose evidence where necessary.

## Am I eligible for help with fees for my appeal to the First-tier Tribunal (Gambling)?

If you believe you may qualify for help with fees to the First-tier Tribunal (Gambling), the 'EX160a - Apply for help with fees' guide gives all the information you need. You can get a copy from the Tribunal or from <http://hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do>. This form should be included with your appeal.

## Should I enclose a fee with my notice of appeal?

Yes. You must include a payment for the **full appeal fee** (as set out on page 4 of this booklet) if you do not include the fee with your notice of appeal your appeal will be returned to you.

If you are applying for help with fees:

- If you qualify for a remission and you have decided to pay by debit or credit card, no payment will be taken until the help with fees application is decided and you will be informed of the decision when your appeal is accepted or once we have received further evidence from you when requested.

If you have indicated that you wish to pay by cheque the Tribunal will write to you with the outcome of your fee remission application and tell you how much, you will be required to pay. Please note that any delay in the Tribunal receiving your payment will mean that no action is taken on your appeal.

## **If I decide to withdraw my appeal or it does not continue can I apply for a refund of my fee?**

If you decide to withdraw your appeal or it is decided by the Tribunal that it will not continue you will not be able to apply for a refund of your fees. In some circumstances you may be able to make an application for costs but if you would like to know more about this please contact the Tribunal for more information.

## **What if my circumstances have changed since I appealed to the First-tier Tribunal (Gambling)?**

If your personal circumstances have changed since appealing to the First-tier Tribunal (Gambling), you can get some, or all of your money back if you have paid a fee in the last three months. However you must have been eligible when you paid the fee. You must fill out the application form EX160 and send it to the Tribunal with any necessary evidence. The Tribunal will consider your application and inform you of the decision. If your application is successful, the Tribunal will return any money owed to you.

## **Do fees ever change?**

Yes. You should note that all fees are subject to increases in line with inflation. You must therefore ensure that you obtain an up to date version of this leaflet. You can get a copy from the First-tier Tribunal (Gambling), or from the website [www.gov.uk/guidance/gambling-licence-decisions-appeal-to-a-tribunal](http://www.gov.uk/guidance/gambling-licence-decisions-appeal-to-a-tribunal)

## **When you have completed the form or need to contact the First-tier Tribunal (Gambling)**

Write to:

**First-tier Tribunal (Gambling),  
HM Courts & Tribunals Service,  
PO Box 9300,  
Leicester  
LE1 8DJ**

Telephone: **0300 123 4504**

Please attach the EX160 application form and supporting evidence to your Notice of Appeal. Please note that delay in sending payment will result in no action being taken on your appeal. Please send all your forms and evidence to the address above.

<b>Appeal Rights *^</b> <b>Rights 1 – 10</b>	
1	An appeal against the Gambling Commission's decision not to issue or renew an operating or personal licence
2	An appeal against the Gambling Commission's decision to attach a condition to a personal or operating licence, other than following a section 116 review.
3^	An appeal against the Gambling Commission's decision that an operating licence shall not continue to have effect when there is a new company controller.
4	An appeal against the Gambling Commission's decision to refuse to vary an operating or personal licence following an application to vary under section 104 of the Gambling Act 2005,
5	An appeal against the Gambling Commission's notification to lapse an operating or personal licence due to mental or physical incapacity
6	<p>An appeal following a review under Section 116 of the Gambling Act 2005, against the Gambling Commission's exercise of a Section 117 regulatory power to:</p> <ul style="list-style-type: none"> <li>a) attach a warning</li> <li>b) attach an additional condition to a licence</li> <li>c) remove or amend a condition attached to a licence</li> <li>d) make, amend or remove an exclusion (for remote licences only)</li> <li>e) suspend a licence</li> <li>f) revoke a licence</li> <li>g) impose a financial penalty</li> </ul>
7	An appeal against the Gambling Commission's decision to suspend a licence, other than following a Section 116 review
8	An appeal against the Gambling Commission's decision to revoke a licence, other than following a Section 116 review
9	An appeal against the Gambling Commission's decision to impose a financial penalty under Section 121 of the Gambling Act 2005.
10	An appeal against the Gambling Commission's decision order to void a bet

^ Please note that there is no right of appeal under Right 3 for any personal licence holders.

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STATUTORY INSTRUMENTS

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**2010 No. 633**

**TRIBUNALS AND INQUIRIES**  
**BETTING, GAMING AND LOTTERIES**

**The First-tier Tribunal (Gambling) Fees (Amendment) Order  
2010**

<i>Made</i> - - - -	<i>4th March 2010</i>
<i>Laid before Parliament</i>	<i>9th March 2010</i>
<i>Coming into force</i> - -	<i>6th April 2010</i>

The Lord Chancellor makes the following Order in exercise of the power conferred by section 42 of the Tribunals, Courts and Enforcement Act 2007(a).

In accordance with section 42(5) of that Act the Lord Chancellor has consulted the Senior President of Tribunals and the Administrative Justice and Tribunals Council.

**Citation and commencement**

1. This Order may be cited as the First-tier Tribunal (Gambling) Fees (Amendment) Order 2010 and comes into force on 6 April 2010.

**Amendments to the First-tier Tribunal (Gambling) Fees Order 2010**

2.—(1) For the Schedule to the First-tier Tribunal (Gambling) Fees Order 2010(b), substitute the Schedule to this Order.

(2) Column A of the Schedule to this Order sets out the fees to be taken instead of the fees set out in Column B of the Schedule to this Order.

Signed by authority of the Lord Chancellor

4th March 2010

*Bridget Prentice*  
Parliamentary Under Secretary of State  
Ministry of Justice

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(a) 2007 c. 15.  
(b) S.I. 2010/42.

# SCHEDULE

Article 2

## “SCHEDULE

Article 2

### Fees to be taken

<i>Appeal</i>	<i>Column A</i>	<i>Column B</i>
	<i>New fee</i>	<i>Old fee</i>
1 On filing an appeal under section 141 of the Gambling Act 2005 in relation to—		
1.1 a casino operating licence referred to in section 65(2)(a) of that Act	£14,000	£13,070
1.2 a bingo operating licence referred to in section 65(2)(b) of that Act	£3,100	£2,905
1.3 a general betting operating licence referred to in section 65(2)(c) of that Act	£10,000	£9,335
1.4 a pool betting operating licence referred to in section 65(2)(d) of that Act	£10,000	£9,335
1.5 a betting intermediary operating licence referred to in section 65(2)(e) of that Act	£10,000	£9,335
1.6 a gaming machine general operating licence for an adult gaming centre referred to in section 65(2)(f) of that Act	£1,600	£1,450
1.7 a gaming machine general operating licence for a family entertainment centre referred to in section 65(2)(g) of that Act	£1,600	£1,450
1.8 a gaming machine technical operating licence referred to in section 65(2)(h) of that Act	£1,600	£1,450
1.9 a gambling software operating licence referred to in with section 65(2)(i) of that Act	£1,600	£1,450
1.10 a lottery operating licence referred to in section 65(2)(j) of that Act	£9,400	£8,710
1.11 a personal management office licence referred to in section 127 of that Act	£1,600	£1,450
1.12 a personal operational function licence referred to in section 127 of that Act	£800	£755
2 On filing an appeal under section 337(1) of the Gambling Act 2005 against the Gambling Commission’s order to void a bet under section 336(1) of that Act	£9,400	£8,710”

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the First-tier Tribunal (Gambling) Fees Order 2010 (“the 2010 Order”). The 2010 Order specified the fees payable when bringing an appeal to the First-tier Tribunal under section 141 or 337(1) of the Gambling Act 2005.

This Order replaces the Schedule of fees to be taken in the 2010 Order with a new Schedule. The new Schedule sets out the new fees to be taken in Column A instead of the old fees set out in Column B. The new fees reflect the increase in inflation from January 2007, when the Gambling Appeals Tribunal commenced, to April 2009.

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